



MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF COMMISSIONERS  
FOR THE  
COUNTY OF LEE, STATE OF NORTH CAROLINA

JULY 23, 2007

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 3:00 p.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, James C. Kelly, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, Linda A. Shook, and Kirk D. Smith.

Chairman Brown presided and the following business was transacted:

Chairman Brown delivered the invocation and a moment of silence was held for Commissioner Shook's father who recently passed away.

The pledge of allegiance was recited.

Ms. Lavelle McLean from the Employee Selection Committee introduced Mr. Dean Caudill, Solid Waste Maintenance Specialist, with Lee County General Services, Solid Waste Division as the July 2007 *Employee of the Month*. Chairman Brown presented Mr. Caudill with his awards which include a day off with pay, a *Star Award*, a framed certificate, a pizza (compliments of Papa John's Pizza), Coca Cola products from Sanford Coca Cola Bottling Company, and a movie rental from the Movie Gallery.

The following new employees were introduced to the Board and presented with a Lee County pin by Chairman Brown:

John Crumpton  
Dr. Chuanwen Sun  
Jennifer Gillis  
Tryone Street  
Jason Lundy

County Manager  
Health Department (Dental Clinic)  
Library  
Department of Social Services  
Tax Department

The Board considered the following changes/additions to the agenda:

Commissioner Brown – Pulled Item IV. R from the Consent Agenda and placed under New Business for discussion;  
Commissioner Reives – Asked to discuss HB 1016 for restructuring of local funding for Medicaid;  
Commissioner Lemmond – Pulled Item IV. T from the Consent Agenda and placed under New Business for discussion; and  
Commissioner Smith – Pulled Item IV. F from the Consent Agenda and placed under New Business for discussion.

Commissioner Shook moved to approve the above change and additions to the agenda. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Lemmond moved to approve the Consent Agenda as amended, which consisted of the following items:

- Minutes from the June 18, 2007 Regular Meeting;
- Minutes from the July 9, 2007 Special Meeting;
- Minutes from the July 10, 2007 joint meeting with the Board of Elections;
- Grant application for Electronic Records Access from the Board of Elections;
- Amendment to Aramark Correctional Food Services agreement (per attached copy);
- Notice of public hearing for Hazardous Waste Management Permit for Magneti Marelli;
- Renewal agreement for ATM machine at the Lee County Courthouse (per attached copy);
- Tax Releases and Refunds for June 2007 (per attached copy);
- Approval of purchase requisition for Storage Area Network (SAN) for Lee County Government in the amount of \$37,068.00 (per attached copy);
- Refund of \$478 for Revenue Stamps from the Register of Deeds Office;
- Grant for Senior Health Insurance Program (SHIP);
- Resolution to add the end of Butler Street (S.R. 1225) to the State DOT System (per attached copy);
- Resolution for rental space at the Jonesboro Library (per attached copy);

- Renewal Services Agreement with Logan Systems, Inc. for the Register of Deeds Office
- Adult dental services with CCCC Oral Hygiene curriculum;
- Purchase of new phone and messaging system for the Lee County Government Center; and
- Budget amendment # 07/23/07/#01 (per attached copy)

Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith

Nay: None

The Chairman ruled the motion had been adopted unanimously.

No one present signed up to speak during the *Public Comments* section of the meeting.

At this time Chairman Brown opened the public hearing that had been advertised for this date and time in reference to the FY 2007-08 *Rural Operating Assistance Program Grant Application* administered through the Senior Services Office. Senior Services Director Debbie Davidson stated that Lee County had been allocated \$162,882.00 in funding to be administered by the County of Lee Transit System (COLTS) for the following programs:

- Elderly and Disabled Transportation Assistance (\$78,351.00);
- Employment/Work First (\$11,008.00); and
- Rural General Public (\$73,523.00).

Ms. Davidson also stated that she is working with Fleming Transportation on a drug-testing policy and a contract for this company to provide after-hour services instead of keeping a county driver on duty.

No one present spoke for or in opposition to the above funding request.

Chairman Brown closed the public hearing.

Commissioner Paschal moved to approve the *FY 2007-08 Rural Operating Assistance Program Grant Application* as presented. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith

Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a recommendation from the Planning Board in reference to the joint public hearing that was held on June 18, 2007. Planner Althea Thompson stated the Lee County Planning Board recommended approval of the petition submitted by Mr. James H. Bost, Jr. to rezone approximately 8.84 ± acres of land located off Boone Trail Road from Residential Restricted (RR) district to Light Industrial (LI) district. Commissioner Reives moved to accept the recommendation from the Lee County Planning Board and to approve an *Ordinance Amending the Official Zoning Map of Lee County*, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered voting delegates for the upcoming NCACC Annual Conference to be held in August in Cumberland County. Commissioner Lemmond moved that Commissioner Brown be designated as Lee County's voting delegate, with Commissioner Lemmond serving as the alternate voting delegate. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board discussed their meeting schedule for the month of August 2007. It was recommended the Board only hold one meeting at 3:00 p.m., Monday, August 13, 2007, with joint public hearings with the Planning Board at 7:00 p.m. on that date. Commissioner Reives moved to accept the above-referenced meeting recommendation. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board discussed Item IV. R. that Commissioner Brown had pulled from the Consent Agenda in reference to funding for the Lee County Industrial Park. Finance Director Lisa Minter told Board members that Economic Development Director Bob Heuts had requested \$6,750.00 for a proposal from ECS Carolina to begin the process of coming into compliance with the US Army Corps of Engineers for exceeding the criteria of a nationwide 14 Permit in reference to the construction of a bridge over a stream at the Lee County Industrial Park. The proposal in question includes developing more cost effective

preliminary plans in order to be in compliance with the Corps of Engineers. Commissioner Reives questioned why the EDC Office was making a decision to enter into a contract instead of the Board of Commissioners. He further stated he did not feel this was team-work. After some discussion, County Manager John Crumpton was instructed to invite Mr. Heuts and the EDC Board to appear before the Commissioners at the August 13, 2007 meeting to discuss this matter. No action was taken.

The Board discussed HB 1016 that relates to the North Carolina General Assembly's plan to restructure local funding for Medicaid. Social Services Director Brenda Potts, Finance Director Lisa Minter, and County Manager John Crumpton participated in the discussion. Under a bill currently before the legislature, the burden for County Medicaid funding would be phased out within three years. The State would take 25% of the burden away next year, 50% the following year, and then would assume the full burden after three years. In exchange, revenues from sales tax and some educational funding would be cut. Mr. Crumpton estimates the change would free up \$221,850 in the county's FY 2007-08 budget. He also stated the formula proposed by the State was unclear and confusing. Commissioner Reives suggested that someone from the County Commissioner's Association attend one of our meetings and discuss the matter. Commissioner Smith suggested the Board have more one-on-one meetings with Senator Bob Atwater and Representative Jimmy Love. It was noted the Bill has passed the Senate and is currently awaiting a vote in the House. No action was taken.

The Board considered Item T that Commissioner Lemmond had pulled from the Consent Agenda that addressed a revision to the Environmental Health fees as it relates to a plan review for food establishments. Health Director Mike Hanes told the Board that as part of the FY 2007-08 budget, the Commissioners adopted increases for various Environmental Health fees as requested by the Lee County Board of Health and Lee County Health Department. One of those involved a fee increase for a plan review of food establishments from \$200 to \$455. Mr. Hanes stated it had come to his attention that General Statute 130A-248 limits the fee charged for a plan review of a food establishment to \$200; therefore, the Commissioners were asked to reduce the approved food establishment fee back to the original \$200 charge. Mr. Hanes stated that in recent years his office had lost Environmental Health staff to other counties and the Board of Health had instructed him to review fees in order to do a "break-even" business. Commissioner Lemmond discussed well permit fees. After some discussion, Commissioner Reives moved to stay in compliance with General Statute 130A-248 and change the food establishment fee back to \$200. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board discussed Item IV. F. that Commissioner Smith had pulled from the Consent Agenda that addressed the write off of delinquent 1996 taxes. Tax Collection Manager Kathy Richardson told Board members most of the delinquent taxes listed were from individuals not paying their motor vehicle taxes. County Attorney K. R. Hoyle stated that according to General Statute, and the fact the taxes are ten-years old, prevents us from collecting these taxes. After further discussion, Commissioner Smith moved to approve the request to write off delinquent 1996 taxes, copies of which are attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Rest Home-Nursing Home Advisory Board due to a recent resignation. Applications from Mr. William (Bill) Bates and Mr. Fred Garner were presented for consideration. Commissioner Lemmond moved to appoint Mr. Fred Garner to the Rest Home-Nursing Home Advisory Board. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Mid-Carolina Work Force Development Board. An application from Mr. Don Trabold was presented for consideration. Commissioner Reives moved to appoint Mr. Trabold to the Mid-Carolina Work Force Development Board. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered appointments to the Cemetery Board of Trustees. Applications from Mrs. Betty Lawrence, Mr. John Altenburger, and Mr. Timothy Shearer were presented for consideration. It was brought to the Board's attention that Mr. Altenburger also serves on the Lee County Fire Advisory Board. Commissioner Reives stated he had no problem with waiving the policy so Mr. Altenburger could serve on both Boards. Commissioner Reives moved to

appoint the above three individuals to the Cemetery Board of Trustees. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Chairman Brown discussed a vacancy on the Johnston-Lee-Harnett Community Action Board of Trustees. Commissioner Reives moved to appoint Chairman Brown to the above-referenced board. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Strategic Initiatives Director Lesa Price gave Board members an update on current BRAC activities. No action was taken.

Finance Director Lisa Minter presented and discussed the *Monthly Financial Report* for the month ending June 2007. Commissioner Shook moved to accept the *Monthly Finance Report* as presented. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton congratulated Customer Service Team members Cantina Lucas, Melanie Rodgers, Kristin Sasser, Kathy Backlund, and Tami Carter for winning one of the 2006-07 *Ketner Employee Productivity Awards* for their Customer Service 101 Training Program. Their \$1,000 award will be presented to the team at the August NCACC Conference in Cumberland County.

Mr. Crumpton discussed the following matters:

- To date he has met with fourteen (14) department heads; all departments will have been visited by the end of the month.
- Departments have been instructed to continue with their Performance Measurement Program. He will work with Human Resource and Finance and bring a recommendation back to the Board for changes and updates to the program.

- Will work with Clerk Gaynell Lee to make some revisions to the agenda package.
- Will revise the Friday Mailing to do on an “as needed” basis.
- Studying a recent request for leasing vehicles verses purchasing new vehicles.
- Will address the reorganization of General Services now that we no longer have an Assistant County Manager.

Commissioner's discussed the following matters:

- Commissioner Reives asked that votes not be taken at meetings until all members are present or it has been verified the Commissioner will not be in attendance.
- Commissioner Smith stated the Triangle Rural Advisory Committee (RPO) needs an alternate member. Commissioner Shook volunteered to serve as the alternate member on this committee.
- Commissioner Kelly discussed contracting with the City of Sanford for enforcement issues as it relates to abandoned vehicles/homes, etc.
- Commissioner Kelly distributed applications for the Tax Administrator position to members of the Employee Selection Committee. The Committee will review the applications and bring the top three candidates back to the full Board for review. It was noted the Committee will meet after the regular meeting on August 13, 2007.
- Commissioner Kelly suggested that background checks be completed on new employees. HR Director Joyce McGehee stated she and County Attorney K. R. Hoyle are working on an ordinance for the Sheriff's Department to complete background checks at no charge to the County.

Chairman Brown recessed the meeting till 7:00 p.m.

The meeting resumed at 7:00 p.m. in Courtroom #4 at the old Lee County Courthouse. Commissioners present were Robert H. Brown, James C. Kelly, Jerry M. Lemmond, and Linda A. Shook. Commissioners Nathan E. Paschal, Robert T. Reives, and Kirk D. Smith had been excused from the meeting.

Chairman Brown called the meeting to order and opened the first advertised public hearing.

Planner Althea Thompson outlined the first rezoning petition submitted by Mr. Albert C. Adcock to rezone approximately 1.85 acres of land located at 2910 and 2914 Hawkins Avenue from Residential Restricted (RR) district to Highway Commercial (HC) district.



Mr. Albert Adcock, 1414 Gormly Circle, Sanford, spoke in favor of the rezoning petition and explained his reason for the rezoning request.

No one present spoke in opposition to the rezoning petition.

Chairman Brown closed the public hearing and opened the second public hearing advertised for this date and time.

Ms. Thompson outlined the second rezoning petition submitted by Grace Christian Church to rezone approximately 23.79 acres of land located at 2601 Jefferson Davis Highway from Residential Agricultural (RA) district to Highway Commercial (HC) district.

Mr. Albert Adcock, 1414 Gormly Circle, Sanford, and Chairman of the Grace Christian Church Building Committee, spoke in favor of the rezoning petition and explained the church's reason for the rezoning request.

No one present spoke in opposition to the rezoning petition.

Chairman Brown closed the public hearing.

With no further business to come before the Board, Commission Shook moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, and Shook

Nay: None

Absent: Paschal, Reives, and Smith

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

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Robert H. Brown, Chairman  
Lee County Board of Commissioners

ATTEST:

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Gaynell M. Lee, Clerk